

FILED 19 DEC 4 11:27 USDC-ORM

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
MEDFORD DIVISION

UNITED STATES OF AMERICA

1:19-cr-00544-MC

v.

INDICTMENT

TIMOTHY SHAW LAIR,

18 U.S.C. § 2252A(a)(2) and (b)(1)  
18 U.S.C. § 2252A(a)(5) and 2256(8)

Defendant.

FORFEITURE ALLEGATION

THE GRAND JURY CHARGES:

COUNT 1

(Receipt of Child Pornography)  
(18 U.S.C. § 2252A(a)(2) and (b)(1))

On or about between March 30, 2019, and April 2, 2019, in the District of Oregon, defendant **TIMOTHY SHAW LAIR**, did knowingly and unlawfully receive child pornography, as defined in Title 18, United States Code, Section 2256(8), which contained a visual depiction of a minor engaged in sexually explicit conduct, such image having been mailed, shipped, and transported in or affecting interstate and foreign commerce by any means, including by computer;

In violation of Title 18, United States Code, Sections 2252A(a)(2) and (b)(1).

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Indictment

**COUNT 2**  
**(Possession of Child Pornography)**  
**(18 U.S.C. § 2252A(a)(5) and 2256(8))**

On or about November 13, 2019, in the District of Oregon, the defendant, **TIMOTHY SHAW LAIR**, did knowingly possess materials which contained images of child pornography, visual depictions of actual minors engaged in sexually explicit conduct, such images having been mailed or shipped using any means or facility of interstate or foreign commerce, to wit: the internet;

In violation of 18 United States Code, Sections 2252A(a)(5) and 2256(8).

**FORFEITURE ALLEGATION**

The allegation contained in Count 1 and 2 of this Indictment are hereby alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 2253.

Pursuant to Title 18, United States Code, Section 2253, upon conviction of an offense in violation of Title 18, United States Code, Section 2252A, the defendant, **TIMOTHY SHAW LAIR**, shall forfeit to the United States of America:

- a. Any visual depiction described in Title 18, United States Code, sections 2251, 2251A, or 2252, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of Title 18, United States Code, Chapter 110;
- b. Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offenses; and

- c. Any property, real or personal, used or intended to be used to commit or to promote the commission of the offenses.

The property to be forfeited includes, but is not limited to, the following:

- a. Motorola Cell Phone Moto G-6 Play IMEI-352164100596251
- b. 32 GB Micro SD card from Item a with SIM Card
- c. Red PNY Thumbdrive (item 3)
- d. Blue PNY Thumbdrive (item 4)
- e. Red PNY Thumbdrive (item 5)
- f. Blue PNY Thumbdrive (item 6)
- g. ZTE Xell Phone S/N:326E65781B08 from room B
- h. CD-R from Desktop from room B
- i. Desktop HP Pavilion S/N: MXX417020H from room B
- j. Laptop HP SN: CND842QNX from room C

If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

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the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b) and by Title 28, United States Code, Section 2461(c).


Dated: December 4, 2019

A TRUE BILL.

/s/ Grand Jury Foreperson

Presented by:

BILLY J. WILLIAMS  
United States Attorney

  
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JUDITH R. HARPER, OSB#903260  
Assistant United States Attorney